

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

LISA FLOWERS, Surviving Daughter and
Executor of the Estate of LAURETHA TANYI,
Deceased,

SUMMONS IN A CIVIL CASE

v.

CASE NUMBER:

07 CIV 9671

NOVARTIS PHARMACEUTICALS
CORPORATION,

TO: (Name and address of defendant)

Novartis Pharmaceuticals Corporation
One Health Plaza
East Hanover, New Jersey 07936-1080

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Beattie and Osborn LLP
521 Fifth Avenue, 34th Floor
New York, New York 10175

an answer to the complaint which is herewith served upon you, within twenty days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

OCT 31 2007

CLERK

DATE

(BY) DEPUTY CLERK

LISA FLOWERS, ET AL
- against -
NOVARTIS PHARMACEUTICALS CORPORATION

Petitioner(s)
Plaintiff(s)
Respondent(s)
Defendant(s)

AFFIDAVIT
OF SERVICE

INDEX#
07 CIV 9671

STATE OF: NEW JERSEY - COUNTY OF: UNION ss:

PASCAL KUVALAKIS _____, being duly sworn deposes and says deponent is not a party to this action, is over the age of 18 and resides in NJ. That on date/time: 10/05/2007 10:45PM, at ONE HEALTH PLAZA EAST HANOVER TWP. NJ 07936 deponent served the within: SUMMONS AND COMPLAINT

Summons, Spanish summons & complaint, the language required by NRCRR 2900.2(e), (f) & (h) was set forth on the face of the summons(es)

On: NOVARTIS PHARMACEUTICALS CORPORATION

Defendant Respondent Witness (hereinafter called the recipient) therein named.

NDIVIDUAL A [] By personally delivering to and leaving with said NOVARTIS PHARMACEUTICALS CORPORATION and that he knew the person so served to be the person mention and described in said SUMMONS AND COMPLAINT

CORPORATION B [X] By delivering to and leaving with LEE STOLLER ESQ. at ONE HEALTH PLAZA EAST HANOVER TWP. NJ 07936 and that he knew the person so served to be the ATTORNEY of the corporation.

SUITABLE AGE PERSON C [] Service was made in the following manner after your deponent was unable with due diligence to serve the defendant in person: By delivering a true copy thereof to and leaving with _____ a person of suitable age and discretion at _____ the said premises being the recipient's Dwelling/Usual place of abode Actual place of business within the State of New York.

AFFIXING TO DOOR, ETC. D [] By affixing a true copy thereof to the door of said premises, the same being the recipient's Dwelling/Usual place of abode Actual place of business within the State of New York. Deponent had previously attempted to serve the above named recipient on/at: 1. _____ 2. _____ 3. _____ Deponent spoke with _____ who stated to deponent that the said recipient(s) lived at the aforementioned address, but did not know recipient's place of employment.

MAILING TO RESIDENCE E1 [] Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient to recipient's last known residence at _____ and deposited said envelope in an official repository under the exclusive care and custody of the US Postal Service within New York State on 10/05/2007.

MAILING TO BUSINESS E2 [] Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient to recipient's actual place of business at _____ in an official repository under the exclusive care and custody of the US Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient and mailed on 10/05/2007.

F [X] DEPONENT STATES THAT THE INDEX # AND FILING DATE WERE CLEARLY VISIBLE ON THE SUMMONS.
DESCRIPTION OF THE RECIPIENT OR OTHER PERSON SERVED OR SPOKEN TO ON BEHALF OF THE RECIPIENT IS AS:

<u>VOID WITHOUT DESCRIPTION</u> Use with A,B,C,D	<input checked="" type="checkbox"/> Male	<input type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14 - 20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
	<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21 - 35 Yrs.	<input type="checkbox"/> 5'0" - 5'3"	<input type="checkbox"/> 100 - 130 Lbs.
		<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Moustache	<input checked="" type="checkbox"/> 36 - 50 Yrs.	<input type="checkbox"/> 5'4" - 5'8"	<input type="checkbox"/> 131 - 160 Lbs.
		<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51 - 65 Yrs.	<input type="checkbox"/> 5'9" - 6'0"	<input checked="" type="checkbox"/> 161 - 200 Lbs.
		<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

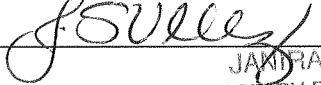
Other identifying features: _____

G [] WITNESS FEE Witness fee of \$0 the authorizing traveling expenses and one day's witness fee:
 was paid (tendered) to the recipient was mailed to the witness with subpoena copy.

H [X] MILITARY SERVICE I asked the person spoken to whether defendant was in active military service of the United States or of the state of New York in any capacity whatsoever and received a negative reply. *Defendant wore civilian clothes and no military uniform.* The source of my information and the grounds of my belief are the conversations and observations above narrated.

Subscribed and Sworn to me this

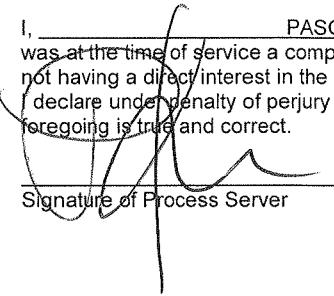
5 _____ day of November _____, 2007 _____

Notary Signature: 

JANIRA SANTIAGO VELEZ
NOTARY PUBLIC OF NEW JERSEY
Commission Expiration April 24, 2012
My Commission Expires April 24, 2012

Name of Notary

I, PASCAL KUVALAKIS,
was at the time of service a competent adult
not having a direct interest in the litigation.
I declare under penalty of perjury that the
foregoing is true and correct.


Signature of Process Server

11/5/2007
Date

R R